



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Howard LEVIN et al

Atty. Ref.: 3659-70

Serial No. 10/642,638

Group: 3762

Filed: August 19, 2003

Examiner: Not yet assigned

For: METHOD AND APPARATUS FOR PERIPHERAL VEIN FLUID  
REMOVAL IN HEART FAILURE

\* \* \* \* \*

April 27, 2004

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

The following are submitted in the above-identified application in compliance with 37  
C.F.R. §§ 1.97 and 1.98:

**INFORMATION DISCLOSURE STATEMENT**

- |                                     |    |  |                 |
|-------------------------------------|----|--|-----------------|
| <input checked="" type="checkbox"/> | 1. | <b>PTO-1449 Pursuant to 37 CFR 1.97(b)</b><br>[within 3 months of filing or prior to 1st Office Action]  | <i>N/C</i>      |
| <input type="checkbox"/>            | 2. | <b>Statement Pursuant to 37 CFR 1.97(c)</b><br>[before Final Office Action or Allowance]   | <i>N/C</i>      |
| <input type="checkbox"/>            | 3. | <b>Fee Payment Pursuant to 37 CFR 1.97(c)</b><br>[before Final Office Action or Allowance]   | <i>\$180.00</i> |
| <input type="checkbox"/>            | 4. | <b>Statement &amp; Fee Payment Pursuant to 37 CFR 1.97(d)</b><br>[before Issue Fee payment]  | <i>\$180.00</i> |
| <br>                                |    |  |                 |
| <input checked="" type="checkbox"/> | 5. | A list of documents on Form PTO-1449 together with copies of each identified document and a translation or a concise explanation of each non-English language document is enclosed herewith. |                 |

This paper is submitted in accordance with:

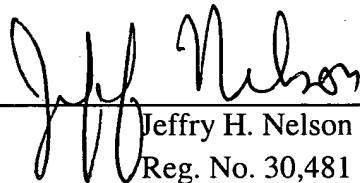
- |                                     |    |   |
|-------------------------------------|----|---|
| <input checked="" type="checkbox"/> | 6. | 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action] |
|-------------------------------------|----|---|

- ☐ 7. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
- ☐ a) The Statement required by 37 CFR §§1.97(c)(1) and (e) made in item 9 below; or
- ☐ b) The fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 10 below.
- ☐ 8. 37 CFR §1.97(d): [before issue fee payment]; and
- ☐ a) This is a request for consideration of the subject Information Disclosure Statement. The fee required by 37 CFR §1.17(p) is authorized in item 10 below; and
- ☐ b) The Statement required by 37 CFR §§1.97(d)(1) and (e) is stated in item 9 below.
- ☐ 9. Statement under 37 CFR 1.97(e)
- ☐ a) Each item of information contained in this Information Disclosure Statement was cited for the first time in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ 10. Please charge all applicable fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
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INFORMATION DISCLOSURE  
CITATION ~~TYPE~~

ATTY. DOCKET NO.

SERIAL NO.

3659-70

10/642,638

**APPLICANT**

Howard LEVIN et al

FILING DATE

TC/A.U.

August 19, 2003

3762

**U.S. PATENT DOCUMENTS**

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

**OTHER DOCUMENTS** (including Author, Title, Date, Pertinent pages, etc.)

[illegible]

**\*Examiner**

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.